

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

R & B – Payment of compensation to Sri S.Gnaneswar r/o Vikarabad, R.R. District towards 5929 square yards of land in survey No.284 & 285 acquired for construction of approach road to ROB at Vikarabad –and judgment in WP No.27831/2005, dt. 2-7-2009 – Writ Appeal No.316/09 and SLP No.15042/09 dismissed - Administrative Sanction accorded for Rs.4,99,900/- – orders – Issued.

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G.O.Rt.No. 239

Dated:10-3-2010.

Read the following:-

1. E.P. No.15 of 2000 in O.P. No.9 of 1993 on the file of Sr.Civil Judge, Vikarabad.
2. Judgment and Decree passed by Hon'ble High Court in Appeal No.1427/97 & 656/98, dt.2-12-1999
3. From the E-in-C (R&B), SR, Hyd., , Lr.No.14000/EE (CRF)/DEE4/AEE 1/08, DT.25-09-2008, dt.17-10-2008 and dt.29-12-2008.
4. G.O.Rt.No.336, TR & B (R-III) Dept., dt.26-2-2009.
5. From the E-in-C (R&B), SR, Hyd., Lr.No.10920/BR(1)/LA/ARB/ 2009-10-, dt.20-5-2009.
6. G.O.Rt.No.752, TR & B (R-III) Dept., dt. 26-6-2009.
7. Orders of Hon' High Court of A.P., dt.2-7-2008 in W.P.No.27831/2005,dt. 2-7-2009.
8. Hon' Supreme Court SLP No.15042/09, dt.24-8-2009.
9. Contempt Case No.1281 of 2009.
10. From the E-in-C (R&B), Admn .& NH., Lr.No.14000/ E.E.(CRF)/ DEE4/ AEE1/08, dt.19-02-2010.

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ORDER:

in the G.O. 6<sup>th</sup> read above, Government have accorded administrative sanction for an amount of Rs.9,91,561/- (Rupees nine lakhs, ninety one thousand, five hundred and sixty one only) towards payment of compensation to Sri S.Gnaneswar r/o Vikarabad, R.R. District for having acquired the land to an extent of 5929 square yards in survey No.284 & 285 for construction of approach road to ROB at Vikarabad.

2. Subsequently, in his letter 10<sup>th</sup> read above, the E-in-C (R&B), Admn & NH, Hyd. has stated that the amount Rs.9,91,561/- sanctioned by the Government was deposited by the LAO in the Hon'ble Court of Senior Civil Judge, Vikarabad. But, the petitioner has filed a calculation memo in a contempt case No.1281/2009, wherein he has calculated the interest on market value + Solatium + additional market value, whereas as per the decree in O.P. No.9/21993, dt.12-10-1995, earlier the LAO has calculated the interest on market value + solatium only. Hence, an amount of Rs.7,21,926/- has to be deposited in addition to the amount already deposited.

3. The E-in-C (R&B), Admn & NH, Hyd., has further stated that the G.P for TR & B has clarified to the Sub-Collector that as per the judgments of the Hon'ble Supreme Court in cases of Sunder V/s Union of India and Gurpreet Singh v/s Union of India the interest has to be paid on market value +solatium+ additional market value, as all the three items form the amount of compensation. Hence, the Sub Collector, Vikarabad has furnished revised calculation sheet for an amount of Rs.4, 65,757/- which is yet to be deposited. Since the Sub-Collector has earlier deposited an amount of Rs.34,143/- from the funds available in his office, the total amount worked out by him is Rs.4,99,900 (Rs.4,65,757+Rs.34,143).

4. The E-in-C (R&B), Admn & NH has therefore, requested the Government to sanction an amount of Rs.4,99,900/- for depositing in the Hon'ble Court of Senior Civil Judge, Vikarabad in E.P. No.15 of 2000 in O.P. No.9 of 1993 towards payment of compensation to Sri S.Gnaneswar r/o Vikarabad, R.R. District for having acquired his land to an extent of 5929 square yards in survey No.284 & 285 for construction of approach road to ROB at Vikarabad.

5. Government, after careful examination of the matter hereby accord administrative sanction for an amount of Rs.4,99,900/- (Rupees Four lakhs, Ninety Nine Thousand, Nine hundred only) in addition to the earlier amount of Rs.9,91,561/- sanctioned in G.O. 6<sup>th</sup> read above towards payment of compensation to Sri S.Gnaneswar r/o Vikarabad, R.R. District for having acquired his land to an extent of 5929 square yards in survey No.284 & 285 for construction of approach road to ROB at Vikarabad.

6. The amount sanctioned in para 5 above shall be met initially by way of an advance from the contingency fund from the Head of Account "MH 5054-COL on Roads and Bridges, 04-District and Other Roads, MH-800-Other Expenditure, GH-11-Normal State Plan, SH(08)-Other Roads, 530-Major Works, 531-Other Expenditure (charged)". Orders regarding release of the amount from the contingency fund will be issued by Finance (BG) Department separately.

7. The E-in-C (R&B), SR, Hyd., shall send necessary proposals to Government at appropriate time for obtaining supplementary grant to recoup the advance sanctioned from the contingency funds.

8. This order issues with the concurrence of Finance (Expr. PW) Department vide their U.O. No 05949-A/156/A2/Expr.PWD/10, dt.05-03-2010

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.LAKSHMI PARTHASARATHY  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief (R&B), Admn & NH, Hyderabad.  
The Revenue Divisional Officer, Vikarabad Division, R.R. Dist.  
The Pay and Accounts Officer, R.R. District.  
Copy to Finance (Expr.PW) Department.  
Sf/Sc.

//Forwarded: By Order//

SECTION OFFICER